

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
**D E P A R T M E N T O F H E A L T H**



*Safe and Healthy Lives in Safe and Healthy Communities*

**BOARD OF MEDICAL LICENSURE AND  
DISCIPLINE**

**C01-048**

In the Matter Of:  
Mohammad D. Nassery, M.D.  
License #: M.D.9962

**Consent Order**

Pursuant to R.I. General Laws §5-37-5.2, 1956, as amended, (1995 Reenactment) the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") has received notice from the Commonwealth of Massachusetts, Board of Registration in Medicine, that Mohammad D. Nassery, M.D., (Respondent) has engaged in conduct that has the capacity to deceive or defraud by failing to disclose to the Board that he had been found to have engaged in irregular behavior during a USMLE Step 3 examination on the Supplement Forms of his Full License Application.

**Findings of Fact**

1. The Respondent, Mohammad D. Nassery, M.D., was born on April 18, 1952. He is a 1978 graduate of the Kabul University, Avicenna Medical Institute, Kabul, Afghanistan. He has been licensed to practice medicine in the State of Rhode Island

license number MD# 9962 since 1998. He is also licensed to practice medicine in New

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Jersey, Pennsylvania, and Massachusetts. At the present time he has an active license and no hospital privileges. A disciplinary action taken by another state for acts or acts similar to those described in the "unprofessional conduct" section of Title 5 Chapter 37 of the General Laws while the licensee is licensed in Rhode Island is grounds for discipline by this Board. The Massachusetts order is attached and incorporated herewith.

2. The Board finds the Respondent's Response to a question asked on the Massachusetts examination is grounds for discipline in Rhode Island. Accordingly, reciprocal discipline is taken in accordance with RIGL § 5-37-5.1(21).

**The parties agree as follows:**

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The Respondent is a physician with an active allopathic license No.9962. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(1) Respondent has read this Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.

(2) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;

- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(3) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee votes in favor or finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

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- (4) Acceptance of this Consent Order constitutes an admission by the Respondent of the facts set forth herein.
- (5) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (6) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (7) The Respondent accepts the sanction of a Reprimand.

Signed this 13<sup>th</sup> day of May, 2002.

  
Mohammad D. Nassery, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on June 12, 2002.

  
Patricia A. Nolan, MD, MPH